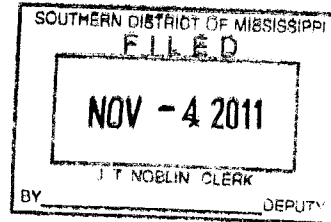


FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
**IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

COMPLAINT

(Last Name) SEPHUS (Identification Number) K5913
 (First Name) STEPHEN (Middle Name) Michael
 (Institution) CMCF, P.O. 22550, Pearl, MS 39288
 (Address)
 (Enter above the full name of the plaintiff, prisoner, and address plaintiff in this action)



V.

CIVIL ACTION NUMBER:

3:11cv684-CWR-ARB
 (to be completed by the Court)

① MISS. DEPT. OF Corrections
 ② Pike County Circuit Court, Pike County Jail
 ④ Pike County Sheriff's Dept, (then) Pike County Circuit Court Judge
 (NOW) MISS. STATE Supreme Court Judge, Keith Starrett (formerly)
 (Enter above the full name of the defendant or defendants in this action)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any other lawsuits in a court of the United States? Yes (☒) No (☐)
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)
- Parties to the action: ① Stephen Sephus v. MDOC, Michael Taylor, Judge, Pike Co. Cir. Court
 ② Stephen Sephus v. MDOC, Epps, Perry, Salter, Holman And Warrick
 - Court (if federal court, name the district; if state court, name the county): U.S. Southern District Court, Hinds County, ms.
 - Docket Number: ① 3:11-CV-00540-TSL-MTP, ② 3:11-CV-00652-LHB-LRA
 - Name of judge to whom case was assigned: ① Leet Parker, ② Barbour Anderson
 - Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): Still pending

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: Stephen M. Sephus Prisoner Number: K 5913
Address: C.M.C.F., P.O. 28550, Pearl, MS 39288
8734 S. Emerald Ave., Chicago, IL 60620
(Please respond to both addresses above)

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: MDOC, Supreme Court Judge Keith Starrett is employed as
Miss. Supreme Court Justice at U.S. District Court,
Southern District of Miss., 501 E. Court St., Suite 2500, Jackson, MS 39201

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:

NAME:

ADDRESS:

Stephen Michael Sephus

8734 S. Emerald Ave., Chicago, IL 60620

DEFENDANT(S):

NAME:

ADDRESS:

MISS. DEPT. of Corrections

P.O. 28550, Pearl, MS, 39288, Rankin Co., MS

Pike City Circuit Court

P.O. 31, Magnolia, MS, 39652

Pike City Jail and Sheriff Dept

2109 Jesse Hall Rd., Magnolia, MS 39652

Keith Starrett, Miss. Supreme Ct. Judge, U.S. Southern Dist Court

501 E. Court St., Suite 2500, Jackson, MS 39201

GENERAL INFORMATION

- A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes () No (☒)

- B. Are you presently incarcerated for a parole or probation violation?

Yes (☒) No ()

- C. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?

Yes () No (☒)

- D. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?

Yes (☒) No ()

- E. Have you completed the Administrative Remedy Program regarding the claims presented in this complaint?

Yes () No (☒), if so, state the results of the procedure: _____

- F. If you are not an inmate of the Mississippi Department of Corrections, answer the following questions:

1. Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?

Yes () No (☒)

2. State how your claims were presented (written request, verbal request, request for forms): _____

3. State the date your claims were presented: _____

4. State the result of the procedure: _____

STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

- Please See Attached -

RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

- Please See Attached -

Signed this 31st day of October, 20 11.

Stephen M. Sephus, K5913

(Hm) 8734 S. Emerald Ave, Chicago, IL 60620
Signature of plaintiff, prisoner number and address of plaintiff

CMCR, P.O. 28530, Pearl, MS 39222

I declare under penalty of perjury that the foregoing is true and correct.

October 31, 2011
(Date)

Stephen M. Sephus
Signature of plaintiff

III^a

It's been nearly twelve years in the making that I've tried to figure out exactly how, where and to whom I should present this case to, however, at this point in life with the guidance of the Holy Spirit, I've decided to let the truth fly and land where it may. Parts of my presentation are, even after twelve years, ineffable to my mean understanding, but again, it would be quite remiss of me not to attempt to convey this almost unbelievable story to you at this time.

I shall begin this manuscript in the midst of events as they chronologically occurred with Circuit Court Judge Keith Starrett hammering his gavel, pronouncing me guilty as charged and subsequently imposing the stiffest sentence allowed to bear for the alleged crime of burglary of a building, five years with $2\frac{1}{2}$ to serve and the remaining $2\frac{1}{2}$ suspended with fines, fees and restitution of \$2,821. This imposed upon a person of great physical disability and who has already been defined as indigent.

On the morn of July 27, 2000 as I drove my old van through an outlying country road in Pike County, Miss., I looked to my left and saw an unknown Caucasian man motioning for me to pull over from his pickup truck with a blue steel snub-nosed .38 revolver in his hand. As I panicly pulled my van into the right hand ditch, he rapidly approached my vehicle and proceeded to place the pistol to my left temple, ordering me out and also ordering me to admit to a break-in at his barn the day before. To save my life, of ^{course} I said that "I did it" because at that point he had ordered my passenger out of the van and sent him on his way running. This man had a real killer look in his eyes and I thought that I was a goner for sure. Bewildered and afraid, I left my vehicle there and entered his pickup at gunpoint.

IIIb

He then proceeded to drive me to his home with one hand on the steering wheel, the other holding the gun to my head. Later I learned that this was called a "citizens arrest." In the midst of all this drama, I inquired of him hesitantly, who might he be and where/what was I supposed to have done? At this point, he responded agitatedly, "Nigger, you ~~know~~ who I am and if you don't admit to the break-in, I'll kill you right here and now." By this time we arrived at his home where his wife stood with a cordless phone and called the Pike County Sheriff's Dept. for an officer to come and investigate the incident and take me into custody. In the meantime, he coached and coerced me into admitting to the break-in and admonished me that if I didn't give ~~the~~ statement to that effect to the sheriff's dept. investigators, that the same thing that happened to the Moses family in South McComb back in 1985 would happen to my family as well. Scared, at that point, out of my skull, I admitted to this burglary and gave a statement to that effect for fear of harm coming to my elderly mother, sister and brother such as it did to the Moses family. It always had been rumored that this ex-sheriff, Dick Wilson, was complicit to this cold-blooded murder of four young black adults in 1985 but these murders, to this date, are yet unsolved.

Some months later, I found myself in a Pike County Courtroom in front of Circuit Court Judge, Keith Starrett, with a twelve man/woman jury deciding my fate, which as you will recall, is where this narrative began.

During the 1990's, I managed a small landscaping operation in McComb, ms. Around 1995 I was contracted to build a small bridge on the Starrett Estate and property, for a mere sum of \$350 as he was referred by a personal friend.

III c

As it turned out, I had to hound him for the small amount of money to the point that it almost made the task undorthy. However, he did finally pay me after I cornered him in his office, although quite contemptuously. At this point, I ask that you, the reader, hold on to this thought and travel with me to another point in time. . . .

Later in the 1990's, I was forced to file bankruptcy on the small landscaping operation and declare it defunct. After all the dust settled, I still owed the bankruptcy court trustee fifteen thousand dollars (\$15K). I had for my disability pension a fifty thousand dollar (\$50K) annuity saved up, however, the bank lienholders were aware of this holding and insisted that I sell the annuity in order to pay the \$15K balance. Quite hesitantly, I was forced to sell the entire annuity at market price and the meager sum of \$15,000. Yes, \$60K for \$15K. I squared my debt with the bank. The point of taking you on this tangent is to simply say that none other than the illustrious Jurist Keith Starrett was on the receiving end of this obtuse transaction. He bought the \$60K annuity for \$15K. This is by definition, Flagrant Usury and I hereby accuse the Supreme Court Jurist of Usury here and now.

Remembering the paragraph above, this is Judge Starrett and my second opportunity for acquaintance prior to his decision not to recuse himself from the bench overseeing my trial. (Keep this point in mind for later reference). . . .

Now, In choosing the jury I made my court appointed Public defender, Dewitt Bates, aware of the fact that I was also, that is, aside from being acquainted with Judge Starrett, I also was acquainted with two prospective jurors. He objected to their being seated, I'm told, although and albeit, they were. One was my mother's second cousin, the other was a known outrageous klanisman by the name of Michael Thomson. He and I were arch enemies from the days of North Pike High school inter-

III d

gration during the 1963 era of civil rights imposition onto the white supremacy resistance. He especially spat (yes, as in spit) on me and called me nigger on many more than one occasion. Again and however, this illegal activity was allowed in Judge Starrett's courtroom. Makes me wonder if my court appointed attorney, now district attorney of Pike County, Dowitt Bates, was really working in my defense or offense. I must assume that Judge Starrett must have been under the conviction that the illegal jurors had as much rights as did he, the illegal judge to be there.

Dramatically, to these facts, add the attraction of ex-Pike County Sheriff, Dick Wilson, and his wife, sat behind me during the entire trial with that same little blue steel revolver pinned to his belt in a holster in full view of everyone. There existed a tension in this courtroom unmatched by any, I'm sure. After the jury was charged, and sent to the sequestered jury room to deliberate, Judge Starrett allowed the ex-sheriff to follow them into the room. I can't imagine what business Mr. Wilson was at liberty to conduct privately in an already closed and charged jury-room with jurors deciding his as well as my case! Makes me say "Emmh." When the jury emerged, I was found guilty by a 12-0 vote. How? With no evidence except circumstantial happenstance as I had never traveled that road in my life except on that dreadful morn of July 27, 2000.

I do now, as I did then, testify that I categorically deny any and all charges alleged and levied against me and do vehemently object to the court's findings. Thus far, to no avail.

I am now reiterating these facts to expose the impropriety displayed arrogantly by the supposedly up-standing MARA/and law abiding jurist, Keith Starrett.

III

in his Circuit Court by allowing such out-law behavior in Court by himself as well as others. By definition, it's called "malfeasance", if you will. I will.

Without a doubt, Judge Starrett should have recused himself Account of the two instances cited heretofore because of his personal acquaintance with the defendants. Secondly, he should not have allowed the two jurors mentioned aforesaid to sit on the jury. Thirdly, should the Chorus displayed, by the armed ex-sheriff in the courtroom, been allowed as well as his visit with the jurors in the deliberation room. I was quite intimidated as I'm sure that they were, as well.

This narrative encompasses the story of the past twelve years of my life as it began with Judge Keith Starrett's Court, The Pike County Circuit Court, The Pike County Jail and The Mississippi Department of Corrections. I've endured to this point through sheer fortitude and guts. However, after all of my personal losses, physical damages and psychological abuses by this justice system, I feel that Karma has well been served and the Mississippi Court and Justice System has been most unjust to my physical and mental person.

These facts, that I've cited alone are certainly enough to actuate a mistrial or to have an appeal granted, to say the least. Surely, Lady Justice frowns on the Great Sovereign State of Mississippi, and in particular, a member of its Supreme Court, in the person of Jurist Keith Starrett.

Mr. Starrett has dishonored his profession and his station in life and marred the face of Mississippi Justice.

After being incarcerated at MDOC from 2000 through 2003 and being tricked and inadvertently advised by Mr. Hinds -

III

County parole officer into believing that my obligation ^{to} State of Mississippi was paid and account of my state of indigency and disability, I no longer owed any fees, fines and restitution. I proceeded to return to Illinois and attempted to try and rebuild my life only to be extradited twice, 2-22-10 and 2-12-11, back to Miss. to face charges of Probation violation for discounting fees and supervision. I respectfully to you submit, enough is enough. Aside from not having committed any crime in the first place, I sure have paid a dear price for this prison event. To this end, I respectfully and humbly request that you allow me the relief requested.

IV. As relief to satisfy the punitive and compensatory damages owed to my person by the person of Supreme Court Judge Starratt, I demand Forty-Five Thousand dollars (\$45,000⁰⁰); for the damages sustained by the imposition onto my person from the Pike County Circuit Court, The Pike County Jail, The Pike County Sheriff's Dept. and the Miss. Dept. of Corrections, I reasonably demand the sum of One million dollars (\$1,000,000⁰⁰) for the havoc imploded thereonto my life. In addition to the above, I request that my theretofore (7-27-20) feloniously and criminally free record be expunged to its' originally clean state and all of my constitutionally guaranteed rights be restored including the right to bear arms and a letter from MOOC for SSA to restore and correct my past and present disability benefits. The wrongful and corroborative efforts perpetrated by Judge Starratt at the orchestration of ex-sheriff Wilson has taken irreparable damage to my reputation, character, physical and mental well-being. As God is my witness, I attest to the truth and validity of the aforesaid statement and I defy any person referenced therein to deny his part thereto.